## Appendix D

Defendants Uber Technologies, Inc. and Ottomotto LLC ("Uber") hereby submit their witness list for trial, pursuant to Fed. R. Civ. P. 26(a)(3) and the Court's Guidelines for Trial and Final Pretrial Conference in Civil Jury Cases.

Uber identifies the name, contact information, and substance of the testimony of each witness it expects to present or may present at trial, other than solely for impeachment. Pursuant to the Court's Guidelines, non-cumulative testimony is identified below in italics.

## I. LIVE WITNESSES

Uber expects to present live testimony from the following witnesses:

Witness	Contact Information	Substance of Trial Testimony
Boehmke, Scott	[Contact through counsel of record]  Uber Technologies, Inc. Advanced Technologies Center 100 32nd St, Pittsburgh, PA 15201	Mr. Boehmke is an engineering manager within Uber's Advanced Technologies Group, responsible for hardware development and application in the self-driving vehicle project. He was previously a project engineer at Carnegie Mellon where he designed LiDAR and Radar sensors. He may testify regarding design and development of Defendant's LiDAR, Defendant's non-misappropriation of Waymo's trade secrets; inspections pursuant to the Court's provisional remedy order; and confirmation of the absence of evidence of trade secret misappropriation through and during compliance with the Court's provisional remedy order.
Bratic, Walter	[Contact through counsel of record]  OverMont 3737 Buffalo Speedway Suite 1600 Houston, Texas 77098 Phone: (713) 403-3307 Email: walter.bratic@whitleypenn.com	Mr. Bratic is an expert retained by Uber and Ottomotto to testify regarding damages. He will testify regarding the matters disclosed in his expert report of September 7, 2017.

DEFENDANTS UBER AND OTTOMOTTO'S FED. R. CIV. P. 26(A)(3) WITNESS LIST Case No. 3:17-cv-00939-WHA sf-3823367

1	Witness	Contact Information	Substance of Trial Testimony
2	Brown, Gary	Waymo LLC	Mr. Brown is a Forensics Security
2		1600 Amphitheatre Parkway	Engineer at Google. He is expected to testify about Waymo's first awareness
3		Mountain View, CA 94043	of alleged trade secret
		,	misappropriation; Waymo's forensic
4			investigation into alleged
_			misappropriation of trade secret
5			misappropriation, including the
6			conclusions drawn from that investigation; and Waymo's measures
0			to protect the security of Waymo's
7			confidential documents, servers, and
			SVN repository.
8	Droz, Pierre-Yves	Waymo LLC	Mr. Droz is Principal Hardware
9		1600 Amphitheatre Parkway	Engineer at Waymo, serving as
9		Mountain View, CA 94043	technical lead on Waymo's LiDAR project since its inception. He is
10		,	expected to testify about Waymo's
			employee policies concerning
11			confidential and trade secret
12			information, including with respect to
12			hardware; the design, development, and operation of Waymo's LiDAR systems,
13			self-driving car project, and purported
			trade secrets; whether and to what
14			extent the allegedly misappropriated
1.5			files contain Waymo's alleged trade
15			secrets; Waymo's awareness of the extent to which each of the alleged
16			Waymo trade secrets selected for trial
			other than trade secret 25, or elements
17			thereof, are known or practiced outside
10			of Waymo; and Waymo's knowledge
18	L 11 K .	1.0	of Odin Wave.
19	Faulkner, Kevin	[Contact through counsel of	Mr. Faulkner is Managing Director at Stroz Friedberg and is an expert
		record]	retained by Uber and Ottomotto to
20		G. F. 11	testify regarding the forensic
21		Stroz Friedberg	examination of Uber-issued devices and
21		32 Avenue of the Americas, Floor 4	data and confirmation of the absence of
22			evidence of trade secret misappropriation through and during
		New York, NY 10013	compliance with the Court's
23		Phone: (212) 981-6540	provisional remedy order. He will
24			testify regarding the matters disclosed
24			in his expert report of September 7, 2017.
25			2017.
		<u> </u>	

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1	Witness	Contact Information	Substance of Trial Testimony
2	French, Paul	465 California Street	Mr. French is an expert retained by
۷		Suite 1400	Waymo to testify regarding: (1) the forensic examination of Uber-issued
3		San Francisco, CA 94104	devices and data and confirmation of
		Phone: 415-321-8206	the absence of evidence of trade secret
4		Email: paul@discovia.com	misappropriation through and during compliance with the Court's
5			provisional remedy order and
			(2) Waymo's forensic investigation of
6			Anthony Levandowski, Radu Raduta,
7			and Sameer Kshirsagar and Waymo's methods to protect its confidential
, I			information and intellectual property
8			(including trade secrets). He is
9			expected to testify regarding the
2			matters disclosed in his two expert reports of September 14, 2017.
10	Friedberg, Eric	Stroz Friedberg	Mr. Friedberg is a co-founder of Stroz
,, ∥	<u> </u>	32 Avenue of the Americas,	Friedberg and currently serves as the
11		Floor 4	<i>co-President.</i> He will testify regarding Stroz Friedberg's investigation and due
12		New York, NY 10013	diligence for Uber's potential
1.0		Phone: (212) 981-6540	acquisition of Ottomotto and Otto
13			Trucking, LLC, including with respect
14			to the deletion of the 14,000 downloaded files.
	Gruver, Dan	[Contact through counsel of	Mr. Gruver is a senior program
15	·	record]	manager at Uber, responsible for
16			sensing systems for self-driving vehicle, and was formerly employed by Google.
		Uber Technologies, Inc.	He may testify regarding the design and
17		1455 Market Street, Floor 4	development of Defendants' LiDAR;
18		San Francisco, CA 94103	Defendants' non-misappropriation of Waymo's trade secrets; nature of
			employment at Waymo; Waymo's
19			employee policies concerning
20			confidential and trade secret information, including with respect to
_			hardware; knowledge of the Project
21			Chauffeur bonus program; and
22			confirmation of the absence of evidence
			of trade secret misappropriation through and during compliance with the
23			Court's provisional remedy order.
24	Hartley, Bruce	465 California Street	Dr. Hartley is Chief Technology Officer
<b>∠</b> ¬		Suite 1400	at Discovia and is an expert retained by Waymo to testify regarding Waymo's
25		San Francisco, CA 94104	methods to protect its confidential
26		Phone: (415) 321-8381	information and intellectual property
۷۵		Email:	(including trade secrets). He is expected to testify regarding the
27		bruce.hartley@discovia.com	matters disclosed in his expert report of
			September 14, 2017.

1	Witness	Contact Information	Substance of Trial Testimony
2	Haslim, James	[Contact through counsel of	Mr. Haslim is a senior engineering manager at Uber, responsible for the
_		record]	technical development of Uber's LiDAR
3		Liber Technologies Inc	sensors, and previously worked at Tyto.
4		Uber Technologies, Inc. 1455 Market Street, Floor 4	He may testify regarding design and development of Defendants' LiDAR;
7		San Francisco, CA 94103	Defendants' non-misappropriation of
5		Suil Tuileises, CIT > 1103	Waymo's trade secrets; knowledge of
6			Odin Wave LLC and Tyto LiDAR LLC; and confirmation of the
			absence of evidence of trade secret
7			misappropriation through and during
8			compliance with the Court's provisional remedy order.
	Kalanick, Travis	[Contact through counsel of	Mr Kalanick is Uber's co-founder and
9	,	record]	former Chief Executive Officer. He
10			may testify regarding Defendants' business model and strategy for
		Uber Technologies, Inc.	autonomous vehicles; Defendants' non-
11		1455 Market Street, Floor 4	misappropriation of Waymo's trade secrets; Uber's decision to acquire
12		San Francisco, CA 94103	Ottomotto; steps taken by Defendants
12			to prevent trade secrets from prior
13			employers coming to Defendants; Defendants' autonomous vehicle
14			program; March 11, 2016 meeting with
15			Anthony Levandowski; knowledge of
13			Waymo's discussions with Defendants regarding a partnership with
16			Defendants in the self-driving
17			vehicle/ride-sharing space; Defendants' employment of Anthony Levandowski;
			and Defendants' termination of
18	** 0 11 * 1		Anthony Levandowski.
19	Krafcik, John	Waymo LLC	Mr. Krafcik is Waymo's Chief Executive Officer. He is expected to
2.0		1600 Amphitheatre Parkway	testify regarding development and
20		Mountain View, CA 94043	operation of Waymo's autonomous
21			vehicle program; Anthony Levandowski's departure from Waymo;
22			Waymo's policies surrounding side
22			projects and side businesses; knowledge of Waymo employee
23			involvement in side projects and side
24			businesses, including that of Anthony
			Levandowski; Waymo's business plans; knowledge of discussions with
25			Defendants regarding a partnership
26			with Defendants in the self-driving vehicle/ride-sharing space; and
			knowledge of the Project Chauffeur
27			bonus program.

1	W:4m agg	Cantact Information	Cubatana af Tuial Tagtimanu
1	Witness Laykin, Erik	Contact Information Duff and Phelps, Inc.	Substance of Trial Testimony  Mr. Laykin is an expert retained by
2	Laykiii, Elik	10100 Santa Monica Blvd.	Otto Trucking to testify regarding
2		11th Floor	Waymo's forensic investigation of
3		Los Angeles, CA 90067	Anthony Levandowski, Radu Raduta,
4		Phone: (424) 249-1768 Email:	and Sameer Kshirsagar and Waymo's
		erik.laykin@duffandphelps.com	methods to protect its confidential
5		, 0 1 1	information and intellectual property
6			(including trade secrets). He is expected to testify regarding the
7			matters disclosed in his expert report of
			September 7, 2017.
8	Lebby, Michael	[Contact through counsel of record]	Dr. Lebby is an expert retained by Uber and Ottomotto to testify regarding non-
9		-	misappropriation of Waymo's trade secrets. He will testify regarding the
10		680 Mission Street #24F San Francisco, CA 94105	matters disclosed in his expert report of September 7, 2017.
11		Phone: (717) 839-7078 Email: lebby@usc.edu	September 1, 2011.
12	Levandowski,	Contact through counsel:	Mr. Levandowski was former Vice
13	Anthony	Contact through counser.	President of Engineering at Uber,
		Ismail Ramsey or Miles Ehrlich	co-founder of Ottomotto, and founder
14		Ramsey & Ehrlich LLP	of 510 Systems. He was also formerly employed by Waymo. He is expected to
15		803 Hearst Avenue	testify regarding the nature of his
13		Berkeley, CA 94710	employment at Waymo and
16		2011010, 0119.710	Defendants; design and development of Defendants' LiDAR; Defendants'
17			autonomous vehicle program;
17			Defendants' non-misappropriation of
18			Waymo's trade secrets; business of
			Otto Trucking LLC; knowledge of
19			Odin Wave LLC and Tyto LiDAR LLC; Waymo's employee
20			policies concerning confidential and
21			trade secret information, including with respect to hardware; knowledge of the
			Project Chauffeur bonus program; March 11, 2016 meeting with Anthony
22			Levandowski; and Stroz due diligence for the Uber/Ottomotto acquisition.
23	McManamon, Paul	[Contact through counsel of	Dr. McManamon is an expert retained
24	Transmittin, 1 wal	record]	by Uber and Ottomotto to testify
25			regarding non-misappropriation of Waymo's trade secrets. He will testify
25		University of Dayton 300 College Park	regarding the matters disclosed in his
26		Fitz Hall Room 580Q Dayton, OH 45469	expert report of September 7, 2017, and his declaration of April 7, 2017.
27		Phone: (937) 344-3921	

1 Witness	Contact Information	Substance of Trial Testimony
Meyhofer, Eric	[Contact through counsel of record]  Uber Technologies, Inc.	Mr, Meyhofer is Head of Uber's Advanced Technologies Group. He may testify regarding the design and development of Defendants' LiDAR; Defendants' autonomous vehicle
4	Advanced Technologies Center 100 32nd St Pittsburgh, PA 15201	program; Defendants' non- misappropriation of Waymo's trade
5 6	Tittsburgh, TA 13201	secrets; Defendants' business model and strategy for autonomous vehicles; Uber's decision to acquire Ottomotto;
7		termination of Anthony Levandowski; confirmation of the absence of evidence of trade secret misappropriation
8		through and during compliance with the Court's provisional remedy order; and
0		steps taken by Defendants to prevent trade secrets from prior employers of Defendants' employees coming to
Nestinger, Stephen		Defendants.  Mr. Nestinger is Director of  Mechanical Engineering at Velodyne.  He is appropriate to testify recogniting the
3	Contact through counsel:	He is expected to testify regarding the technologies in LiDAR sensors that Velodyne has made or sold, including VLP-16, HDL-32E, HDL64E, Puck Hi-
4	John V. Picone III, Esq. Hopkins & Carley	Res, and Puck Lite.
5 6	The Letitia Building 70 South First Street San Jose CA 95113	
7	Phone: (408) 286-9800 Email:	
Pennecot, Gaetan	jpicone@hopkinscarley.com [Contact through counsel of record]	Mr. Pennecot is a hardware engineer at Uber. He formerly worked as a
0	Uber Technologies, Inc.	hardware engineer at 510 Systems and Google. He may testify regarding the design and development of Defendants'
1	1455 Market Street, Floor 4 San Francisco, CA 94103	LiDAR; Defendants' non-misappropriation of Waymo's
2		trade secrets; nature of employment at Waymo; Waymo's employee policies concerning confidential and trade secret
3 4		information, including with respect to hardware; knowledge of the Project
5		Chauffeur bonus program; and confirmation of the absence of evidence of trade secret misappropriation
6		through and during compliance with the Court's provisional remedy order.

Witness   Contact Information   Poetzscher, Cam   [Contact through counsel of record]	
Trecord]  Trecord]  Trecord]  Trecord]  When y testify regarding Defendents of Corporate Develoe He may testify regarding Defendents; Defendents; October 14 San Francisco, CA 94103  Trucking LLC; Uber's decision acquire Ottomotto; Uber's indemnification agreement with Ottomotto; Uber's meetings we Anthony Levandowski, Ottom and/or Otto Trucking before A 2016; Stroz due diligence for the Uber/Ottomotto acquisition; are confirmation of the absence of of trade secret misappropriation through and during compliance Court's provisional remedy or Anthony Levandow of Trucking Defendants; Anthony Levandow of Google. He may testify regarding Defendents of trade secret misappropriation of the absence of of trade secret misappropriation through and during compliance Court's provisional remedy or Anthony Levandow of Google. He may testify regarding Defendants; Anthony Levandow of trade secret misappropriation of Williams of the Project Chauffeur bonus provisional remedy or Google. He may testify regarding Defendants; on trade secrets from prior employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement to price the Project Chauffeur bonus provisional remedy or Google. He may testify regarding Defendants; on trade secrets from prior employee involvement in side and side businesses; including Anthony Levandowski; knowledge of the Project Chauffeur bonus provisional remedy or Google. He may testify regarding Defendants; on trade secrets from prior employee involvement in side and side businesses; including Anthony Levandowski; knowledge of the Project Chauffeur bonus provisional remedy or Google. He may testify regarding to trade secrets from prior employee involvement in side and side businesses; including Anthony Levandowski; befendants; on trade secrets from prior employees coming the project Chauffeur bonus provisional remedy or Google. He may testify regarding to the project Chauffeur bonus provisional remedy or Google. He may testify regarding to the may testify reg	ŗ
Uber Technologies, Inc. 1455 Market Street, Floor 4 San Francisco, CA 94103  Ron, Lior  [Contact through counsel of record]  Uber Technologies, Inc.  [Contact through counsel of record]  Uber Technologies, Inc.  Uber Technologies, Inc.  Itation and previously wor Google. He may testify regard nature of employment at Wayn Defendants; Anthony Levandowski; knowledge of employee involvement in side and side businesses; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; provided and side businesses; busi	
10 Ron, Lior [Contact through counsel of record]  10 Uber Technologies, Inc. 1455 Market Street, Floor 4 San Francisco, CA 94103  11 Uber Technologies, Inc. 1455 Market Street, Floor 4 San Francisco, CA 94103  12 Uber Technologies, Inc. 1455 Market Street, Floor 4 San Francisco, CA 94103  13 San Francisco, CA 94103  14 Project Chauffeur bonus protegos taken by Defendants to prade secrets from prior employ Defendants; Defendants; Defendants; non-prior might be fendants; Defendants;	
indemnification agreement wit Ottomotto; Uber's meetings w. Anthony Levandowski, Ottom and/or Otto Trucking before A 2016; Stroz due diligence for t Uber/Ottomotto acquisition; ar confirmation of the absence of of trade secret misappropriatio through and during compliance Court's provisional remedy or Court's provisional remedy or OttoFreight, was a co-founder Ottomotto, and previously wor Google. He may testify regard nature of employment at Waym Defendants; Anthony Levando departure from Waymo; Wayn policies surrounding side proje side businesses; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employee involvement in side and side businesses; including Anthony Levandowski; knowledge of employees coming Defendants; Operations of the Author of	ı to
and/or Otto Trucking before A 2016; Stroz due diligence for the Uber/Ottomotto acquisition; are confirmation of the absence of of trade secret misappropriation through and during compliance Court's provisional remedy ord OttoFreight, was a co-founder Ottomotto, and previously word Google. He may testify regard nature of employment at Wayn Defendants; Anthony Levandow departure from Waymo; Wayn policies surrounding side projes side businesses; knowledge of employee involvement in side and side businesses, including Anthony Levandowski; knowledge of the project Chauffeur bonus protection and the project Chauffeur bonus protection and side secrets from prior employees coming Defendants' employees coming Defendants; Defendants' non-	th
Uber/Ottomotto acquisition; ar confirmation of the absence of of trade secret misappropriation through and during compliance Court's provisional remedy ord OttoFreight, was a co-founder OttooFreight, was a co-founder	oril 11,
of trade secret misappropriation through and during compliance Court's provisional remedy ord	d
Ron, Lior  [Contact through counsel of record]  Ron, Lior  [Contact through counsel of record]  [Contact through counsel of record and the contact of the may testify regard nature of employment at Wayn Defendants; Anthony Levando departure from Waymo; Wayn policies surrounding side projes side businesses; knowledge of employee involvement in side and side businesses, including Anthony Levandowski; knowledge of the Project Chauffeur bonus prosteps taken by Defendants to put trade secrets from prior employ Defendants' employees coming Defendants; Defendants' non-	1
11	ler.
13 Uber Technologies, Inc. 1455 Market Street, Floor 4 San Francisco, CA 94103 Defendants; Anthony Levando departure from Waymo; Waym policies surrounding side projes side businesses; knowledge of employee involvement in side and side businesses, including Anthony Levandowski; knowledge of the Project Chauffeur bonus prosteps taken by Defendants to putrade secrets from prior employ Defendants' employees coming Defendants; Defendants' non-	ked at
San Francisco, CA 94103  departure from Waymo; Waym policies surrounding side projes side businesses; knowledge of employee involvement in side and side businesses, including Anthony Levandowski; knowledge of the Project Chauffeur bonus prosteps taken by Defendants to putrade secrets from prior employ Defendants' employees coming Defendants; Defendants' non-	no and
side businesses; knowledge of employee involvement in side and side businesses, including Anthony Levandowski; knowledge of employee involvement in side and side businesses, including Anthony Levandowski; knowledge of employee Chauffeur bonus provided the Project Chauff	o's
Anthony Levandowski; knowled the Project Chauffeur bonus prosteps taken by Defendants to putrade secrets from prior employ Defendants' employees coming Defendants; Defendants' non-	Waymo projects
steps taken by Defendants to p trade secrets from prior employ Defendants' employees coming Defendants; Defendants' non-	edge of
Defendants' employees coming Defendants; Defendants' non-	revent
secrets; formation, purpose, an	d
business of Otto Trucking LLC formation, purpose, and busines	ss of
Ottomotto; Ottomotto's decisic acquired by Uber; March 11, 2 meeting with Anthony Levand	016
Stroz due diligence for the Uber/Ottomotto acquisition;	, w sk1,
confirmation of the absence of of trade secret misappropriatio	1
through and during compliance Court's provisional remedy or	ler; and
design and development of Ott LiDAR.	omotto's

Witness	Contact Information	<b>Substance of Trial Testimony</b>
Thrun, Sebastian		Mr. Thrun is Chief Executive Officer of
		Kitty Hawk Corporation and formerly
		head of Waymo and Google[x]. He is
	Contact through counsel:	expected to testify regarding
	Christopher B. Hockett	development and operation of
	Davis Polk & Wardwell LLP	Waymo's autonomous vehicle
	1600 El Camino Real	program; Anthony Levandowski's
	Menlo Park, CA 94025	departure from Waymo; Waymo's
	Phone: (650) 752-2009	employee policies concerning
	Email:	confidential and trade secret
	chris.hockett@davispolk.com	information; Waymo's policies
		surrounding side projects and side
		businesses; knowledge of Waymo
		employee involvement in side projects
		and side businesses, including that of
		Anthony Levandowski; knowledge of
		the Project Chauffeur bonus program,
		and his introduction of Travis Kalanic
** G1 :		to Mr. Levandowski.
Urmson, Chris		Mr. Urmson was Waymo's former
		Chief Technology Officer. He is
		expected to testify regarding
		development and operation of
		Waymo's autonomous vehicle
		program; Anthony Levandowski's
		departure from Waymo; Waymo's
		employee policies concerning
		confidential and trade secret
		information; Waymo's policies
		surrounding side projects and side
		businesses; knowledge of Waymo
		employee involvement in side project
		and side businesses, including that of
		Anthony Levandowski; and knowledg
		of the Project Chauffeur bonus
W/ M' 1 1	LitiNamias Inc	program.
Wagner, Michael	LitiNomics, Inc.	Mr. Wagner is an expert retained by
	2570 West El Camino Real	Waymo to testify regarding damages.
	Suite 650	He is expected to testify regarding the
	Mountain View, CA 94040	matters disclosed in his expert reports
	Phone: (650) 282-4402 Email:	of August 24, 2017, and
	mwagner@litinomics.com	September 14, 2017.
	mwagner(w,mmonnes.com	

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Witness	Contact Information	Substance of Trial Testimony
Zbrozek, Sasha	Waymo LLC 1600 Amphitheatre Parkway Mountain View, CA 94043	Mr. Zbrozek is an electrical hardware engineer on Waymo's, and before that, Google's, self-driving car project. He is expected to testify regarding Waymo's measures to protect the security of Waymo's confidential documents, servers, and SVN repository; Waymo's employee policies concerning confidential and trade secret information; his development of instructions for logging into the SVN repository and the fact that following his instructions downloads the entire database; that the documents in that database are "low value" and that he was concerned that the lawyers were ascribing suspicion to Anthony Levandowski's alleged downloading; and his participation in Waymo's forensic investigation into alleged misappropriation of trade secrets.

Uber may present live testimony from the following witnesses:

Witness	Contact Information	Trial Testimony
Bailey, Chelsea	Waymo LLC 1600 Amphitheatre Parkway Mountain View, CA 94043	Ms. Bailey is a human resources business partner at Google[x]. She is expected to testify regarding Waymo's policies concerning confidential and trade secret information; Waymo employment and compensation issues; and the Project Chauffeur bonus program.

DEFENDANTS UBER AND OTTOMOTTO'S FED. R. CIV. P. 26(A)(3) WITNESS LIST Case No. 3:17-cv-00939-WHA sf-3823367

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1	Witness	Contact Information	Trial Testimony
	Bares, John	[Contact through counsel of	Mr. Bares is the former Operations
2	,	record]	Director at Uber's Advanced
3			Technologies Group. He may testify
5		Uber Technologies, Inc.	regarding design and development of
4		Advanced Technologies Center	Defendants' LiDAR; Defendants'
5		100 32nd St, Pittsburgh, PA	autonomous vehicle program; Defendants' non-misappropriation of
3		15201	Waymo's trade secrets; Defendants'
6			business model and strategy for
7			autonomous vehicles; Uber's decision
,			to acquire Ottomotto; steps taken by
8			Defendants to prevent trade secrets
9			from prior employers of Defendants'
9			employees coming to Defendants; and confirmation of the absence of
10			evidence of trade secret
11			misappropriation through and during
11			compliance with the Court's
12			provisional remedy order.
13	Brin, Sergey	Alphabet Inc.	Mr. Brin is a co-founder of Google and
13		1600 Amphitheatre Parkway	President of Google's parent company, Alphabet Inc. He is expected to testify
14		Mountain View, CA 94043	regarding development and operation
15			of Waymo's autonomous vehicle
13			program; Anthony Levandowski's
16			departure from Waymo; Waymo's
17			policies surrounding side projects and
1 /			side businesses; and knowledge of
18			Waymo employee involvement in side projects and side businesses, including
19			that of Anthony Levandowski.
17	L	1	20.0000
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Defendants Uber and Ottomotto's Fed. R. Civ. P. 26(A)(3) Witness List Case No. 3:17-cv-00939-WHA sf-3823367

1	Witness	Contact Information	Trial Testimony
2	Burnette, Don	[Contact through counsel of record]	Mr. Burnette is a technical lead for software at Uber, and previously
3		Uber Technologies, Inc.	worked at Google prior to co-founding Otto. He may testify regarding the
4		1455 Market Street, Floor 4	nature of employment at Waymo and Defendants; Defendants' non-
5		San Francisco, CA 94103	misappropriation of Waymo's trade secrets; formation, purpose, and business of Ottomotto; Ottomotto's
6			decision to be acquired by Defendants; Development and operation of
7			Waymo's autonomous vehicle program; Anthony Levandowski's
8			departure from Waymo; Waymo's policies surrounding side projects and
9			side businesses; knowledge of Waymo employee involvement in side projects
10			and side businesses; knowledge of the Project Chauffeur bonus program;
11			Stroz due diligence for the Uber/Ottomotto acquisition; and
12			confirmation of the absence of evidence of trade secret
13 14			misappropriation through and during compliance with the Court's
14	Chy Don	W IIC	provisional remedy order.  Mr. Chu is Director of Product at
15	Chu, Dan	Waymo LLC 1600 Amphitheatre Parkway	Waymo. He is expected to testify regarding estimates and forecasts of the
16		Mountain View, CA 94043	ride-sharing market and Waymo's share of the ride-sharing market and
17			Waymo's business and strategic plans (and plans generally) for the ride-
18			sharing market, including projections for revenue generation and profitability
19			and including Transportation as a Service (TaaS), and the creation of
20			documents that analyzed competition with Uber.
21			
22			

Defendants Uber and Ottomotto's Fed. R. Civ. P. 26(A)(3) Witness List Case No. 3:17-cv-00939-WHA sf-3823367

1	Witness	Contact Information	Trial Testimony
2	Dolgov, Dmitri	Waymo LLC	Mr. Dolgov is Vice President of
2		1600 Amphitheatre Parkway	Engineering at Waymo. He is expected to testify regarding design,
3		Mountain View, CA 94043	development, and operation of
			Waymo's LiDAR systems, self-driving
4			car project, and purported trade secrets;
5			Waymo's employee policies concerning confidential and trade
			secret information; Waymo's policies
6			surrounding side projects and side
7			businesses; knowledge of Waymo
/			employee involvement in side projects and side businesses, including that of
8			Anthony Levandowski; and knowledge
0			of the Project Chauffeur bonus
9	F 4 ' M' 1 1		program.
10	Epstein, Michael	Waymo LLC	Mr. Epstein is a product manager at Waymo. He is expected to testify
		1600 Amphitheatre Parkway	regarding Waymo's decision to enter
11		Mountain View, CA 94043	the Transportation as a Service
12			("TaaS") market, estimates and
			forecasts of the ride-sharing market and
13			Waymo's share of the ride-sharing
14			market and Waymo's business and
1.			strategic plans (and plans generally)
15			for the ride-sharing market, including projections for revenue generation and
16			profitability and <i>including TaaS</i> , and
10			competition with Uber.
17	Fidric, Bernard	Waymo LLC	Mr. Fidric is a hardware engineer at
18		1600 Amphitheatre Parkway	Waymo. He is expected to testify
10		Mountain View, CA 94043	regarding design, development, and
19			operation of Waymo's LiDAR systems,
20			self-driving car project, and purported trade secrets and Waymo's employee
20			policies concerning confidential and
21			trade secret information.
22	Gardner, John	c/o Rogers Joseph O'Donnell	Mr. Gardner is an attorney at Donahue
22		311 California Street, 10th	Fitzgerald. He is expected to testify
23		Floor	regarding representation of Anthony Levandowski; knowledge of Odin
24		San Francisco, CA	Wave LLC, Tyto LiDAR LLC, and
24			Sandstone Group LLC; and Stroz due
25			diligence for the Uber/Ottomotto acquisition.
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Witness	<b>Contact Information</b>	Trial Testimony
Gassend, Blaise	Waymo LLC	Mr. Gassend is a software engineer at
	1600 Amphitheatre Parkway	<i>Waymo</i> . He is expected to testify
	Mountain View, CA 94043	regarding design, development, and
	Woulden view, Cri y 10 13	operation of Waymo's LiDAR system
		self-driving car project, and purported
		trade secrets and Waymo's employee
		policies concerning confidential and
		trade secret information.
Grossman, William	Waymo LLC	Mr. Grossman is a mechanical
Grossman, william		engineer at Waymo. He is expected to
	1600 Amphitheatre Parkway	testify regarding Waymo's knowledge
	Mountain View, CA 94043	of Defendants' LiDAR design;
		<u> </u>
		Waymo's employee policies
		concerning confidential and trade
		secret information; and Waymo's
		receipt of correspondence containing
- ·		Defendants' LiDAR design.
Gudjunsson,	Waymo LLC	Mr. Gudjunsson is Manager of Digita
Kristinn	1600 Amphitheatre Parkway	Forensics and Incident Management Google. He is expected to testify
	Mountain View, CA 94043	regarding Waymo's measures to
	,	protect the security of Waymo's
		confidential documents, servers, and
		SVN repository; Waymo's employee
		policies concerning confidential and
		trade secret information; and Waymo
		forensic investigation into alleged
		misappropriation of trade secret
		misappropriation, including his role in
		the investigation and the conclusions drawn from that investigation.
Hesselink,	Spiller Duilding Doom 201	Dr. Hesselink is an expert retained by
Lambertus	Spilker Building, Room 301	Waymo to testify regarding
Lambertus	Stanford University	Defendants' alleged misappropriation
	Stanford, California 94305	of Waymo's trade secrets. He is
	Phone: 415-269-7102	expected to testify regarding the
	Email: Bert@kaos.stanford.edu	matters disclosed in his expert reports
		of August 24, 2017, and
		September 14, 2017, and his
		declaration of September 5, 2017.

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1	Witness	Contact Information	Trial Testimony
2	Holden, Jeff	[Contact through counsel of record]	Mr. Holden is Chief Product Officer at Uber, responsible for product
3		Uber Technologies, Inc.	development. He may testify regarding defendants' business model and strategy for autonomous vehicles;
4		1455 Market Street, Floor 4	Defendants' autonomous vehicle program; Uber's decision to acquire
5		San Francisco, CA 94103	Ottomotto; and confirmation of the absence of evidence of trade secret
6			misappropriation through and during compliance with the Court's
7			provisional remedy order.
8	Ingram, Ben	Waymo LLC 1600 Amphitheatre Parkway	Mr. Ingram is a systems engineer at Waymo. He is expected to testify
9		Mountain View, CA 94043	regarding the design, development, and operation of Waymo's LiDAR systems,
10			self-driving car project, and purported trade secrets; Waymo's employee
11			policies concerning confidential and trade secret information; and Waymo's
12			awareness of the extent to which alleged Waymo trade secret 25, or
13 14			elements thereof, is known or practiced outside of Waymo.
15	Jacobs, E. Allen	[Contact through counsel of record]	Dr. Jacobs is an expert retained by Uber and Ottomotto to testify
16		Berkeley Research Group, LLC.	regarding Uber's acquisition of Ottomotto. He is expected to testify
17		2525 Mckinnon Street	regarding the matters disclosed in his expert report of September 7, 2017.
18		Suite 400 Dallas, TX 75201	
19		Phone: (214) 233-3085 Email: AJacobs@thinkbrg.com	
20	Janosko, Michael	Waymo LLC	Mr. Janosko is a Security Engineering
21	variosito, ivitettaei	1600 Amphitheatre Parkway	Manager at Google. He is expected to testify regarding Waymo's measures to
22		Mountain View, CA 94043	protect the security of Waymo's confidential documents, servers, and
23			SVN repository and Waymo's employee policies concerning
24			confidential and trade secret information.
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Defendants Uber and Ottomotto's Fed. R. Civ. P. 26(A)(3) Witness List Case No. 3:17-cv-00939-WHA sf-3823367

1	Witness	Contact Information	Trial Testimony
1	Juelsgaard, Soren	[Contact through counsel of	Mr. Juelshaard is a senior engineer at
2	1.015guara, 501011	record]	Uber and previously worked at
2		,	510 Systems. He may testify regarding
3		Uber Technologies, Inc.	Stroz due diligence for the
4		1455 Market Street, Floor 4	Uber/Ottomotto acquisition;
_		San Francisco, CA 94103	Defendants' non-misappropriation of
5		,	Waymo's trade secrets; and
6			confirmation of the absence of evidence of trade secret
			misappropriation through and during
7			compliance with the Court's
8			provisional remedy order.
O	Kim, Rudy	Morrison & Foerster LLP	Mr. Kim is a partner at Morrison &
9	, ,	755 Page Mill Road	Foerster LLP. He may testify
10		Palo Alto, CA 94304	regarding the intellectual property due
10		Phone: (650) 813-5600	diligence for the Uber/Ottomotto
11			acquisition and inspection pursuant to
10	Vinta Cassani	206 W	the Court's provisional remedy order.
12	Kintz, Gregory	206 Wavecrest Ave	Mr. Kintz is an expert retained by Waymo to testify regarding
13		Santa Cruz, CA 95060	Defendants' alleged misappropriation
		Phone: 828-551-0336	of Waymo's trade secrets. He is
14		Email: greg@kintz.net	expected to testify regarding the
15			matters disclosed in his declarations of
			March 10, 2017, and April 21, 2017.
16	Linaval, Asheem	[Contact through counsel of	Mr. Linaval is an electrical engineer at
17		record]	Uber and previously worked at 510 Systems, Google, Odin Wave, and
1,			<i>Tyto.</i> He may testify regarding
18		Uber Technologies, Inc.	Defendants' autonomous vehicle
19		1455 Market Street, Floor 4	program and confirmation of the absence of evidence of trade secret
1)		San Francisco, CA 94103	misappropriation through and during
20			compliance with the Court's
21	M-C W:11:		provisional remedy order.
<i>L</i> 1	McCann, William	Waymo LLC	Mr. McCann is a mechanical engineer at Waymo. He is expected to testify
22		1600 Amphitheatre Parkway	regarding design, development, and
22		Mountain View, CA 94043	operation of Waymo's LiDAR systems,
23			self-driving car project, and purported
24			trade secrets; and Waymo's employee
			policies concerning confidential and
25			trade secret information.
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1	Witness	Contact Information	Trial Testimony
2	Medford, Ron	Waymo LLC 1600 Amphitheatre Parkway	Mr. Medford is Waymo's Director for Safety. He is expected to testify
3		Mountain View, CA 94043	regarding safety assessments, public policy, and regulatory work relating to
4			autonomous vehicles, and involvement in safety-related matters.
5	Morgan, Rhian	[Contact through counsel of record]	Ms. Rhian is the Team Engagement Coordinator at Uber and was formerly the human resources lead at Ottomotto.
6		Uber Technologies, Inc.	She may testify regarding hiring and onboarding process for Uber and
7		1455 Market Street, Floor 4 San Francisco, CA 94103	Ottomotto, including hiring agreements; steps taken by Defendants
8			to prevent trade secrets from prior employers of Defendants' employees coming to Defendants; and
10			confirmation of the absence of evidence of trade secret
11			misappropriation through and during compliance with the Court's
12	Morriss, Zachary	Waymo LLC	provisional remedy order.  Mr. Morriss is a mechanical engineer
13		1600 Amphitheatre Parkway	at Waymo and previously worked at Anthony's Robots. He is expected to
14		Mountain View, CA 94043	testify regarding Waymo's employee policies concerning confidential and
15			trade secret information; and the design, development, and operation of
16			Waymo's LiDAR systems, self-driving car project, and purported trade secrets.
17 18	Padilla, Angela	[Contact through counsel of record]	Ms. Padilla is Associate General Counsel for Litigation and Employment
19		Uber Technologies, Inc.	at Uber. She may testify regarding the termination of Anthony Levandowski;
20		1455 Market Street, Floor 4	Stroz due diligence for the Uber/Ottomotto acquisition; confirmation of the absence of
21		San Francisco, CA 94103	evidence of trade secret
22			misappropriation through and during compliance with the Court's provisional remedy order; and Anthony
23			Levandowski's claim that he downloaded and retained alleged
24			misappropriated materials to facilitate bonus payment(s) from Waymo.
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1	Witness	Contact Information	Trial Testimony
2	Palomar, Matthew	[Contact through counsel of record]	Mr. Palomar is a hardware engineer at Uber and was previously an engineer at Tyto. He may testify regarding the
3		Uber Technologies, Inc.	design and development of Defendants'
4		1455 Market Street, Floor 4	LiDAR; Defendants' non- misappropriation of Waymo's trade
5		San Francisco, CA 94103	secrets; and confirmation of the absence of evidence of trade secret
6			misappropriation through and during compliance with the Court's provisional remedy order.
7	Page, Larry	Alphabet Inc.	Mr. Page is Google's co-founder and Chief Executive Office of Google's
8		1600 Amphitheatre Parkway Mountain View, CA 94043	parent company, Alphabet Inc. He is expected to testify regarding
9		, 5,	development and operation of Waymo's autonomous vehicle
10			program; Anthony Levandowski's departure from Waymo; Waymo's
11			policies surrounding side projects and side businesses; knowledge of Waymo
12			employee involvement in side projects and side businesses, including that of
13			Anthony Levandowski; Waymo's business plans; knowledge of
14			discussions with Defendants regarding a partnership with Defendants in the
15			self-driving vehicle/ride-sharing space; and knowledge of the Project
16			Chauffeur bonus program, and his concerns about competition from Uber
17	Qi, Nina	[Contact through counsel of	and Anthony Levandowski.  Ms. Qi is the former Senior Manager of
18		record]	Corporate Development at Uber. She may testify regarding defendants' non-
19		Uber Technologies, Inc.	misappropriation of Waymo's trade secrets; business of Otto
20		1455 Market Street, Floor 4 San Francisco, CA 94103	Trucking LLC; Uber's decision to acquire Ottomotto; March 11, 2016
21			meeting with Anthony Levandowski; and confirmation of the absence of
22			evidence of trade secret misappropriation through and during
23			compliance with the Court's provisional remedy order.
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1	Witness	Contact Information	Trial Testimony
2	Sebern, Colin	[Contact through counsel of	Mr. Sebern works on vehicle-building
2		record]	and calibration at Uber and previously worked at Ottomotto and Google. He
3			may testify regarding Stroz due
		Uber Technologies, Inc.	diligence for the Uber/Ottomotto
4		1455 Market Street, Floor 4	acquisition; Defendants' non-
5		San Francisco, CA 94103	misappropriation of Waymo's trade secrets; and confirmation of the
3			absence of evidence of trade secret
6			misappropriation through and during
_			compliance with the Court's
7	0. 1. 0		provisional remedy order.
8	Stojanowski, Ognen	[Contact through counsel of	Mr. Stojanowski is Head of Policy and Government Relations at Uber. He
Ü		record]	may testify regarding knowledge of
9			Odin Wave LLC, Tyto LiDAR LLC,
10		Uber Technologies, Inc.	and Sandstone Group LLC, and
10		1455 Market Street, Floor 4	confirmation of the absence of evidence of trade secret
11		San Francisco, CA 94103	misappropriation through and during
			compliance with the Court's
12			provisional remedy order.
13	Suhr, Justin	[Contact through counsel of	Mr. Suhr is a Legal Director at Uber,
13		record]	specializing in employment issues. He may testify regarding Stroz due
14			diligence for the Uber/Ottomotto
1.5		Uber Technologies, Inc.	acquisition; Uber's decision to acquire
15		1455 Market Street, Floor 4	Ottomotto and structure of the
16		San Francisco, CA 94103	acquisition; and confirmation of the absence of evidence of trade secret
			misappropriation through and during
17			compliance with the Court's
18	G 11: G		provisional remedy order.
10	Sullivan, Stacy	Waymo LLC	Ms. Sullivan is Vice President for People Operations and Chief Culture
19		1600 Amphitheatre Parkway	Officer at Google. She is expected to
•		Mountain View, CA 94043	testify regarding communication with
20			Larry Page regarding Anthony
21			Levandowski, Mr. Levandowski's
21			alleged recruitment of Waymo employees, the Chauffeur bonus plan,
22			friction on the Chauffeur team, a
22			meeting with Anthony Levandowski
23			and Chelsea Bailey after
24			Mr. Levandowksi left Google, the competition for talent, investigation (or
			lack thereof) of personal devices of
25			new Google employees, and Larry
26			Page's concerns about competition from Anthony Levandowski.
20			HOIH AHUIOHY LEVAHUOWSKI.

1	Witness	Contact Information	Trial Testimony
2	Tate, Eric	Morrison & Foerster LLP	Mr. Tate is a partner at Morrison &
2		425 Market Street San Francisco, CA 94105	Foerster LLP. He may testify regarding the Stroz due diligence for
3		Phone: (415) 268-7000	the Uber/Ottomotto acquisition* and
			confirmation of the absence of
4			evidence of trade secret
5			misappropriation through and during
3			compliance with the Court's provisional remedy order.
6	Timmins, Jim	Teknos Associates	Mr. Timmins is an expert retained by
		350 Cambridge Avenue	Waymo to testify regarding Uber's
7		Suite 300	acquisition of Ottomotto and potential
8		Palo Alto, CA 94306 Phone: (650) 330-8801	acquisition of Otto Trucking and customary practices for M&A
		Email:	transactions involving privately held
9		jtimmins@teknosassociates.com	companies. He is expected to testify
10			regarding the matters disclosed in his
10			expert reports of August 24, 2017, and September 14, 2017.
11	Ulrich, Drew	Waymo LLC	Mr. Ulrich is a mechanical engineer at
12	,	1600 Amphitheatre Parkway	Waymo, and previously work at 510
12		Mountain View, CA 94043	Systems. He is expected to testify
13		1.10 0.1.0, 0.11 > 10 1.0	regarding Waymo's employee policies
			concerning confidential and trade
14			secret information and the design,
15			development, and operation of
10			Waymo's LiDAR systems and self-
16	XX 1	1	driving car project.
17	Wachter, Luke	Waymo LLC	Mr. Wachter is a software engineer at
1 /		1600 Amphitheatre Parkway	Waymo and previously worked at 510 Systems. He is expected to testify
18		Mountain View, CA 94043	regarding the design, development, and
1.0			operation of Waymo's LiDAR systems,
19			self-driving car project, and purported
20			trade secrets and Waymo's employee
			policies concerning confidential and
21			trade secret information.
22	Willis, Tim	Waymo LLC	Mr. Willis is Head of Global Supply at
		1600 Amphitheatre Parkway	Waymo. He is expected to testify
23		Mountain View, CA 94043	regarding Waymo's supply chain
24			operations and Waymo's employee
24			policies concerning confidential and trade secret information.
25			trade secret information.

Uber reserves the right to call any witness identified by Waymo. The above descriptions are not intended to cover every possible topic or sub-topic on which these witnesses may testify and are made without prejudice to Uber eliciting other testimony, including without limitation

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testimony regarding matters addressed during the deposition of a given witness.

## II. DEPOSITION TESTIMONY

Uber reserves the right to present the deposition testimony of Waymo's managing agents and 30(b)(6) designees (i.e., Gary Brown, Pierre-Yves Droz, Dmitri Dolgov, Michael Xing, Joanne Chin, David Lawee, Jennifer Haroon, Ben Ingram, and Aslan (Shawn) Bananzadeh), in addition to or in lieu of their live testimony. Uber also reserves the right to present the deposition testimony of any witnesses listed above to the extent permitted by Federal Rule of Civil Procedure 32.

Uber may present testimony from the following additional witnesses by deposition:

Witness	<b>Contact Information</b>	Trial Testimony
Drummond, David	Alphabet Inc.	Mr. Drummond is Senior Vice President
	1600 Amphitheatre	of Corporate Development at
	Parkway	Alphabet Inc., Google's parent company,
	Mountain View, CA 94043	and previously served on Uber's board of
	, in the second	directors while employed by Alphabet Inc.
		Uber may present his deposition
		testimony regarding Waymo's knowledge
		of Defendants' autonomous vehicle
		program; knowledge of Waymo's
		discussions with Defendants regarding a
		partnership with Defendants in the self-
		driving vehicle/ride-sharing space.

Uber reserves the right to designate testimony from any witness identified by Waymo. The above descriptions are not intended to cover every possible topic or sub-topic on which Uber may offer deposition excerpts and are made without prejudice to Uber offering other testimony.

Dated: September 16, 2017 MORRISON & FOERSTER LLP

By: /s/ Arturo J. González
ARTURO J. GONZÁLEZ

Attorneys for Defendants UBER TECHNOLOGIES, INC. and OTTOMOTTO LLC

DEFENDANTS UBER AND OTTOMOTTO'S FED. R. CIV. P. 26(A)(3) WITNESS LIST Case No. 3:17-cv-00939-WHA sf-3823367